

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

JOBEX HEMINGWAY,	:	
	:	Civil Action No. 09-3198 (WJM)
Plaintiff,	:	
	:	
v.	:	<b>ORDER</b>
	:	
EDWARD DeFAZIO,	:	
	:	
Defendant.	:	<b>CLOSED</b>

For the reasons expressed in the Opinion filed herewith,

IT IS on this 6<sup>th</sup> day of July, 2009,

ORDERED that Plaintiff's application to proceed in forma pauperis is hereby DENIED, without prejudice; and it is further

ORDERED that the Clerk of the Court shall supply to Plaintiff a blank form Application to Proceed In Forma Pauperis; and it is further

ORDERED that the Clerk of the Court shall administratively terminate this case, without filing the Complaint or assessing a filing fee; and it is further

ORDERED that if Plaintiff wishes to reopen this action, he shall so notify the Court, in writing addressed to the Clerk of the Court, Martin Luther King Building and U.S. Courthouse, 50 Walnut Street, Newark, New Jersey, 07101, within 30 days of the date of entry of this Order; Plaintiff's writing shall include either (1) a complete in forma pauperis application, including an affidavit of indigence and six-month prison account statement, for the six-month period immediately preceding the June 24, 2009,

date of the Complaint, certified by the appropriate official of each prison at which the prisoner is or was confined, or (2) the \$350 filing fee; and it is further

ORDERED that the Clerk of the Court shall serve a copy of this Order upon Plaintiff by regular U.S. mail.

s/William J. Martini

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William J. Martini  
United States District Judge